

EMILY JOHNSON HENN (SBN 269482)  
COVINGTON & BURLING LLP  
333 Twin Dolphin Drive, Suite 700  
Redwood Shores, CA 94061  
Telephone: 650-632-4700  
Facsimile: 650-632-4800  
Email: ehenn@cov.com

SONYA D. WINNER (SBN 200348)  
CORTLIN H. LANNIN (SBN 266488)  
COVINGTON & BURLING LLP  
One Front Street, 35th Floor  
San Francisco, CA 94102  
Telephone: 415-591-6000  
Facsimile: 415-591-6091  
Email: swinner@cov.com  
Email: clannin@cov.com

Attorneys for Defendant The Procter & Gamble Company

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JAMIE PETTIT, an individual, on behalf of  
herself, the general public and those similarly situated

Plaintiff,

v.

PROCTER & GAMBLE COMPANY

Defendant

CASE NO. 15-cv-2150-RS  
ORDER  
**JOINT STIPULATION TO  
SET BRIEFING SCHEDULE  
FOR MOTION TO STAY  
AND EXTEND CLASS  
CERTIFICATION  
BRIEFING SCHEDULE**

Pursuant to Civil L.R. 6-1(b), 6-2, and 7-12, plaintiff Jamie Pettit and defendant The Procter & Gamble Company ("P&G") respectfully submit this joint stipulation to set an expedited briefing schedule for P&G's forthcoming motion to stay this action and to extend the current briefing schedule for class certification.

STIPULATION FOR CONTINUANCE OF  
CLASS CERTIFICATION

1 WHEREAS, at the August 13, 2015 Case Management Conference and in a subsequent  
2 order, this Court set the hearing for Plaintiff's motion for class certification for May 5, 2016 and  
3 ordered that Plaintiff would file her opening brief on February 25, 2016, P&G would file its  
4 opposition by March 28, 2016, and Plaintiff would file her reply by April 14, 2016 [*See* Dkt. No.  
5 24];

6 WHEREAS, the parties previously sought and received two time modifications to permit  
7 the parties to defer depositions and additional discovery so as to conserve resources in light of the  
8 court's order, in a similar case in which a plaintiff is challenging Charmin Freshmates flushable  
9 wipes (*Belfiore v. Procter & Gamble Company*, Case No. 14-cv-4090 (E.D.N.Y.) (Weinstein,  
10 J.)), that those parties participate in settlement talks with Magistrate Judge Levy, which began on  
11 January 21, 2016;

12 WHEREAS, in light of the settlement talks in *Belfiore*, the parties sought and the Court  
13 entered on February 11, 2016 the first time modification, pursuant to which Plaintiff would file  
14 her motion for class certification by May 19, 2016; P&G would file its opposition by June 23,  
15 2016; Plaintiff would file her reply by July 14, 2016; and the hearing would be held at 1:30 p.m.  
16 on August 4, 2016 [*See* Dkt. 27];

17 WHEREAS, again in light of the continuing settlement talks in *Belfiore*, the parties sought  
18 and the Court entered on April 25, 2016 the second time modification, pursuant to which Plaintiff  
19 would file her motion for class certification by August 24, 2016; P&G would file its opposition  
20 by September 28, 2016; Plaintiff would file her reply by October 19, 2016; and the hearing would  
21 be held at 1:30 p.m. on November 10, 2016 [*See* Dkt No. 29];

22 WHEREAS, on June 10, 2016, Magistrate Judge Levy adjourned the last scheduled  
23 settlement conference in *Belfiore sine die*, and there are no additional settlement conferences  
24 scheduled;

25 WHEREAS, P&G has informed Plaintiff that it intends to file a motion to stay this action,  
26 and Plaintiff has informed P&G that it intends to oppose the motion;

27 WHEREAS, the parties request a slightly expedited briefing and hearing schedule for the  
28 motion to stay;

1 WHEREAS, in order to accommodate the time required to resolve P&G's motion to stay,  
2 prior to initiating the deferred depositions and additional discovery, the parties request that the  
3 briefing schedule for Plaintiff's motion for class certification be extended approximately two  
4 months;

5 WHEREAS, there have been two previous time modifications in this case, discussed  
6 above;

7 WHEREAS, the effect of the requested time modification will be to extend the current  
8 class certification briefing schedule approximately two months;

9 NOW THEREFORE, THE PARTIES BY COUNSEL HEREBY STIPULATE as follows:

10 P&G shall file its motion to stay by June 23, 2016; Plaintiff shall file her opposition by  
11 June 30, 2016; P&G shall file its reply by July 7, 2016; and the hearing on the motion shall be  
12 held at 1:30 p.m. on July 21, 2016, or another date convenient for the Court;

13 Plaintiff shall file her motion for class certification by October 20, 2016; P&G shall  
14 depose Plaintiff's class certification expert(s) by November 3, 2016; P&G shall file its opposition  
15 by December 8, 2016; Plaintiff shall depose P&G's class certification expert(s) by December 22,  
16 2016; Plaintiff shall file her reply by January 12, 2017; and the hearing shall be held at 1:30 p.m.  
17 on February 2, 2017, or another date convenient for the Court; and

18 If P&G's motion for a stay is not decided by July 28, 2016, the parties shall stipulate to a  
19 further extension to the briefing schedule for Plaintiff's motion for class certification, so that the  
20 motion is not due until 90 days after the decision on the motion for stay.

21  
22 DATED: June 22, 2016

COVINGTON & BURLING LLP

23  
24 By: /s/ Cortlin H. Lannin  
Cortlin H. Lannin

25 *Attorneys for Defendant*  
26 The Procter & Gamble Company  
27  
28

1  
2 DATED: June 22, 2016

GUTRIDE SAFIER LLP

3  
4 By: /s/ Adam Gutride  
Adam Gutride

5 *Attorneys for Plaintiff*  
6  
7

8 **PURSUANT TO STIPULATION, AND FOR GOOD CAUSE SHOWN, THE**  
9 **COURT ORDERS AS FOLLOWS:**

10 P&G shall file its motion to stay by June 23, 2016; Plaintiff shall file her opposition by  
11 June 30, 2016; P&G shall file its reply by July 7, 2016; and the hearing on the motion shall be  
12 held at 1:30 p.m. on July 21, 2016; and

13 Plaintiff shall file her motion for class certification by October 20, 2016; P&G shall  
14 depose plaintiff's class certification expert(s) by November 3, 2016; P&G shall file its opposition  
15 by December 8, 2016; Plaintiff shall depose P&G's class certification expert(s) by December 22,  
16 2016; Plaintiff shall file her reply by January 12, 2017; and the hearing shall be held at 1:30 p.m.  
17 on February 2, 2017.

18  
19 DATED: 6/23/16  
20



21 THE HONORABLE RICHARD SEEBORG  
22 UNITED STATES DISTRICT JUDGE  
23  
24  
25  
26  
27  
28